

REMARKS

Applicant's Attorney thanks Examiners Ghassem Alie and Allan Shoap for the courtesy of the interview held on January 26, 2005 wherein this case was discussed at length. This amendment includes the changes discussed at the interview and is believed to place the case in condition for allowance.

Generic claim 1 has been amended in a manner to more specifically define the method of the present invention and in a manner not believed to be contemplated by the art. Thus, claim 1 now includes the following features:

- the knife (34) moving around the area to be trimmed (56), see page 8, line 10 and Figures 7 – 8;
- the base of the container is supported during its traverse through the multi-station assembly, see Figures 2 – 10;
- the container (26) is held by a holder (32) beneath the area to be trimmed (56) to hold the container stationary during trimming, see Figure 7 and the paragraph bridging pages 7 – 8 of the specification; and
- camming, positioning and moving the knife (34) and knife actuating arm (36) by moving a roller (44) on a tapered cam (40), see Figures 7 – 8 and page 8 of the instant specification.

Applicant respectfully submits that these specifically defined features are highly advantageous and efficient and the combination thereof are not at all contemplated by the art.

Claim 3 and a portion of claim 9 have been canceled and the features thereof included in the generic claim. Non-elected claims 11 – 27 have also been canceled without prejudice to the filing of a divisional application thereon. New Claims 28 – 41 have been added as clearly supported herein.

Claim 28 is supported by Figure 1 and the paragraph bridging pages 6 – 7, and claim 29 is supported in the first paragraph of page 10. Claim 30 is supported for example on the top of page 7, claim 31 is supported for example on the bottom of page 7 as continued on the top of page 8, and claim 32 is supported on page 7, lines 10 – 13. Finally, claims 33 – 41 are supported by Figures 7 – 8 and page 8 of the specification.

The claims have been specifically defined and cover an improved method for trimming a plastic container not believed to be taught or suggested by the art.

The main references are Wakabayashi '785 and Criss et al. '026. Neither of these references, alone or in combination, suggest Applicant's improved features. The '785 reference critically rotates the bottle. There is no suggestion to do otherwise. Moreover, there is no suggestion for Applicant's camming, positioning and moving step. The '026 reference seems to suggest movement of the cutting elements, but clearly there is bottle

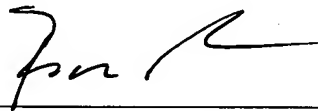
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rotation, see for example column 4, lines 8 – 11 and column 5, lines 37 – 39. In any case, apart from the tenuous viability of the combination of references, there is no suggestion in Criss et al. for Applicant's key method steps, such as the container traversing a plurality of spaced stations and Applicant's camming, positioning and moving step. The other references are not applied and are believed to be farther afield.

Accordingly, it is respectfully submitted that this case defines patentably over the art. Favorable reconsideration is courteously solicited.

Respectfully submitted,

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